

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

TERRY DALE ROY, Inmate #452066LLB,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 12-cv-1265-JPG
	)	
BELLEVILLE POLICE DEPARTMENT	)	
and ST. CLAIR COUNTY COURT,	)	
	)	
Defendants.	)	

MEMORANDUM AND ORDER DISMISSING CASE

GILBERT, District Judge:

On January 16, 2013, Plaintiff was ordered to provide the Court with his current address no later than February 13, 2013 (Doc. 4). Plaintiff clearly was warned in that Order that failure to do so would result in dismissal of this case. The Notice of Impending Dismissal was mailed to Plaintiff at the address on file with the Clerk's Office in this action – c/o St. Clair County Jail, 700 North 5th Street, Belleville, Illinois, 62220.

On January 24, 2013, the Order was returned to this Court as undeliverable (Doc. 5). The date to notify this Court of Plaintiff's change of address has passed, and Plaintiff has failed to do so. As a result, this action is **DISMISSED** without prejudice, for failure to comply with an Order of this Court. **FED. R. CIV. P. 41(b)**. *See generally Ladien v. Astrachan*, 128 F.3d 1051 (7<sup>th</sup> Cir. 1997); *Johnson v. Kamminga*, 34 F.3d 466 (7<sup>th</sup> Cir. 1994). Plaintiff's obligation to pay the filing fee for this action was incurred at the time the action was filed, thus the filing fee of \$350 remains due and payable. See 28 U.S.C. § 1915(b)(1); *Lucien v. Jockisch*, 133 F.3d 464, 467 (7<sup>th</sup> Cir. 1998). The Clerk's Office is **DIRECTED** to close this case.

IT IS SO ORDERED.

DATED: February 25, 2013.

s/ J. Phil Gilbert  
United States District Judge